

TRANSCRIPT PREPARED BY THE CLERK OF THE LEGISLATURE
Transcriber's Office

April 23, 1999 LB 113A, 280

adoption of AM1361 to LB 113A. Those in favor vote aye, those opposed nay. Please record.

ASSISTANT CLERK: 35 ayes, 0 nays on the adoption of the amendment.

PRESIDENT MAURSTAD: The amendment is agreed to. Senator Smith.

SENATOR SMITH: Mr. President, I'd move that we advance LB 113A to E & R for engrossing.

PRESIDENT MAURSTAD: The question is the advancement of LB 113A. Those in favor say aye. Those opposed nay. The bill is advanced. Mr. Clerk, LB 280.

ASSISTANT CLERK: Mr. President, Senator Wickersham would move to return the bill. (AM1281, Legislative Journal page 1570.)

PRESIDENT MAURSTAD: Senator Wickersham, you're recognized to open on your motion to return LB 280 to Select File.

SENATOR WICKERSHAM: Thank you, Mr. President. I'm sure that eventually we'll allow one of Senator Cudaback's bills to pass but this one isn't quite ready. (Laughter) And it isn't quite ready through no fault of I would say Senator Cudaback nor would I say that it is through the fault of anyone else who's been involved with the passage of the bill to date. The reason that I'm asking you to return the bill to Select File for a specific amendment is because of concerns raised by the Department of Revenue about the implementation of the bill as currently drafted, and whether the drafting of the bill would carry out what the intent of Senator Cudaback and the Revenue Committee was with regard to the bill. The intent of Senator Cudaback, as introducer, and the intent of the committee in advancing the bill to you for consideration was to cause a sales tax exemption to be placed into the statutes for equipment that persons might buy that was necessary for to move around in their homes or in their motor vehicles, lifts, wheelchairs, those kinds of things. Now it was the opinion, our opinion, our apparently grossly underinformed opinion that something that was defined in statute as durable medical equipment could easily include a wheelchair or a lift that was necessary for persons to use if they were